

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : BAERVELDT, et al. )  
App. No. : 10/052,473 )  
Filed : January 18, 2002 )  
For : MINIMALLY INVASIVE )  
GLAUCOMA SURGICAL )  
INSTRUMENT AND METHOD )  
Examiner : Unknown )

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ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION  
AND  
REVOCATION AND POWER OF ATTORNEY

United States Patent and Trademark Office  
PO Box 2327  
Arlington, VA 22202

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventors to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventors to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone

App. No. :  
Filed : January 18, 2002

(949) 760-0404, Customer No. 20,995, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

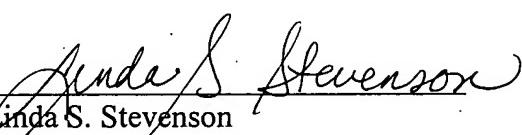
I authorize and request Knobbe, Martens, Olson & Bear, LLP, of 620 Newport Center Drive, 16<sup>th</sup> Floor, Newport Beach, CA 92660 to insert above the application number of said application when known.

Please use Customer No. 20,995 for all communications.

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA

Dated: February 20, 2002

By:

  
Linda S. Stevenson

Title: Manager, Patent Prosecution

Address: Office of Technology Transfer  
1111 Franklin Street, 5th Floor  
Oakland, CA 94607-5200

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UC Case No. 2001-040-2

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PATENT

Application No.: 10/052,473  
Filing Date: January 18, 2002

Client Code: UCI002.001A  
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ASSIGNMENT

WHEREAS, We, George BAERVELDT, a United States citizen, residing at 11 Vista Sole, Monarch Beach CA, 92629, and Roy CHUCK, a United States citizen, residing at 30 Mirasaki St., Irvine, CA 92612, have invented certain new and useful improvements in a **MINIMALLY INVASIVE GLAUCOMA SURGICAL INSTRUMENT AND METHOD**, the specification of which was filed on January 18, 2002, Application No.: 10/052,473;

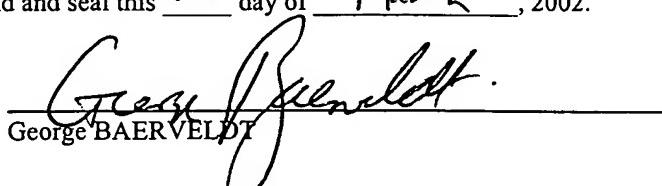
AND WHEREAS, I/We hereby authorize and request Knobbe, Martens, Olson & Bear, LLP, of 620 Newport Center Drive, 16th Floor, Newport Beach, CA 92660, to insert above the application number of said application when known;

AND WHEREAS, The Regents of the University of California (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 1111 Franklin Street, Twelfth Floor, Oakland, CA 94607-5200, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 29 day of March, 2002.

  
George BAERVELDT

STATE OF CALIFORNIA }  
COUNTY OF LOS ANGELES } ss.

On March 29, 2002, before me, GABRIELLE SHEA, personally appeared George BAERVELDT personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity,

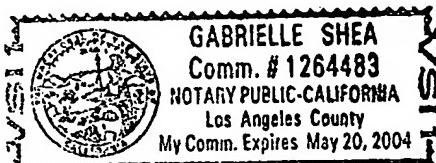
Application No.: 10/052,473  
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Client Code: UCI002.001A  
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and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



*Gabrielle Shea*

Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 29 day of March, 2002.

*Roy CHUCK*

Roy CHUCK

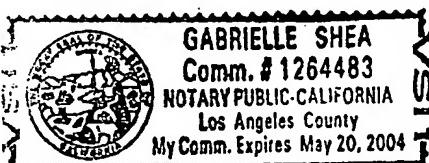
STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES }

} ss.

On MARCH 29, 2002, before me, GABRIELLE SHEA, personally appeared he personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

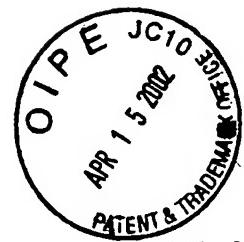
WITNESS my hand and official seal.

[SEAL]



*Gabrielle Shea*

Notary Signature

**DECLARATION - USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **MINIMALLY INVASIVE GLAUCOMA SURGICAL INSTRUMENT AND METHOD**; the specification of which was filed on **January 18, 2002** as Application No. 10/052,473.

I hereby authorize and request my attorneys, Knobbe, Martens, Olson & Bear, LLP, of 620 Newport Center Drive, 16<sup>th</sup> Floor, Newport Beach, CA 92660, to insert above the application number of said application when known.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below

**PRIOR U.S. PROVISIONAL APPLICATION(S)**

Application No.: **60/263,617**

Filing Date: **January 18, 2001**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

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Full name of First Inventor: **George BAERVELDT**

Inventor's signature

Date

*George Baereldt*

*3/29/02*

Residence: .. 11 Vista Sole, Monarch Beach, CA 92629

Citizenship: **U.S.**

Post Office Address: **Same as above**

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Full name of Second Inventor: **Roy CHUCK**

Inventor's signature

Date

*Roy Chuck*

*3/29/02*

Residence: .. 30 Murasaki St., Irvine, CA 92612

Citizenship: **U.S.**

Post Office Address: **Same as above**

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Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

**Customer No. 20,995**